

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
June 14, 2009

Closed Session: none

Call to Order: Meeting was called to order at: 9:36 a.m.

Opening Ceremony: Beatrice A. Law

Council Present: Legislative Leader Beatrice A. Law, Secretary Regina Gasco Bentley, Treasurer Gerald Chingwa, Councilor Dexter McNamara, Councilor Melvin L. Kiogima, Councilor Marvin Mulholland

Absent: Councilor Fred Harrington, Jr., Councilor Alice Yellowbank, Councilor Rita Shananaquet

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: none

Judicial Officials Present: none

Guests: Ken Harrington

Motion made by Councilor McNamara and supported by Treasurer Chingwa to adopt the agenda for June 14, 2009 with additions.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr., Councilor Yellowbank, Councilor Shananaquet)

Motion carried.

Motion made by Councilor Kiogima and supported by Treasurer Chingwa to approve the minutes of May 17, 2009 with corrections.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr., Councilor Yellowbank, Councilor Shananaquet)

Motion carried.

Elders Comments: no comments at this time.

Motion made by Treasurer Chingwa and supported by Councilor Kiogima to accept Legislative Leader Law's verbal report for June 14, 2009.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr., Councilor Yellowbank, Councilor Shananaquet)

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Kiogima to release the closed session minutes for 1999 – (Title-1999 no specific date given), January 9, 2000, February 20, 2000, and March 5, 2000.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr., Councilor Yellowbank, Councilor Shananaquet)

Motion carried.

Motion made by Councilor Mulholland and supported by Secretary Gasco Bentley to accept Treasurer Chingwa's verbal Treasurer and Appropriations and Finance Committee report for June 14, 2009.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr., Councilor Yellowbank, Councilor Shananaquet)

Motion carried.

11:07 a.m. Recess called.

11:20 a.m. Meeting reconvened.

11:47 a.m. Public Comment opened: no comments.

11:47 a.m. Public Comment closed.

Motion made by Councilor McNamara and supported by Councilor Mulholland to accept the Land and Reservation Chairperson Kiogima's verbal and written report for June 14, 2009.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr., Councilor Yellowbank, Councilor Shananaquet)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to accept the Legislative Services Attorney Budnick's verbal and written report for June 14, 2009.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr., Councilor Yellowbank, Councilor Shananaquet)

Motion carried.

11:58 a.m. Lunch recess called.

1:34 p.m. Meeting reconvened.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to disapprove the Natural Resource Commission Regulations for Licensing and Permits REG WOS 2005-01 051809-003.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr., Councilor Yellowbank, Councilor Shananaquet)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor McNamara to disapprove the Gaming Regulatory Commission Regulations REG-WOS 2005-06 051809-007.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Harrington, Jr., Councilor Yellowbank, Councilor Shananaquet)
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Mulholland to adopt Tribal Resolution: Request for Funding from the U.S. Department of Health and Human Services Indian Health Service Little Traverse Bay Bands of Odawa Indians FY 08 and FY 09 Methamphetamine and Suicide Prevention Initiative (MSPI) Little Traverse Bay Bands of Odawa Indians Methamphetamine and Suicide Prevention Grant.

Roll Call Vote: Councilor Harrington, Jr. -absent, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

1:50 p.m. Councilor Harrington, Jr., arrived.

Motion made by Treasurer Chingwa and supported by Councilor Mulholland to adopt Tribal Resolution: Funding from the U.S. Department of Housing and Urban Development Native American Housing Block Grant Program Little Traverse Bay Bands of Odawa Indians NAHBG Housing Project.

Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Treasurer Chingwa and supported by Secretary Gasco Bentley to adopt Tribal Resolution: Funding from the U.S. Department of Housing and Urban Development FY 2009 Indian Community Development Block Grant Program Little Traverse Bay Bands of Odawa Indians Public Facilities Project.

Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Mulholland to adopt Tribal Resolution: Request for Funding from the U.S. Environmental Protection Agency, Under Section 103 of the Clean Air Act, FY 2009 Region 5 Tribal Energy Project, Little Traverse Bay Bands of Odawa Indians, Tribal Energy Project.

Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to adopt Tribal Resolution: United States Department of Health and Human Services Indian Health Service, Office of Clinical and Preventive Services, Children and Youth Projects, Little Traverse Bay Bands of Odawa Indians Tribal Children and Youth Project.

Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

Motion carried.

Motion made by Treasurer Chingwa to adopt Tribal Resolution: Bureau of Indian Affairs Construction Easement at Ninaatig Drive.

Motion dies due to lack of support.

Motion made by Councilor Kiogima and supported by Treasurer Chingwa to accept Councilor Harrington, Jr.'s verbal and written report for June 14, 2009.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor Shananaquet)

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Kiogima to approve the business account agreement with National City Bank and Little Traverse Bay Bands of Odawa Indians with waiver of governing law and jurisdiction.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor Shananaquet)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor McNamara to approve lease agreement between Planet Bingo LLC, and Little Traverse Bay Bands of Odawa Indians with limited waiver of sovereign immunity.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor Shananaquet)

Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Harrington, Jr., to authorize the Tribal Chairman through his administrative oversight to sign an Engagement Letter for legal services with Hobbs, Straus, Dean & Walker, LLP for assistance with land and reservation issues not to exceed \$20,000 to come from the Legal Department budget.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor Shananaquet)

Motion carried.

2:46 p.m. Recess called.

3:00 p.m. Meeting resumed.

3:00 p.m. Public Comment opened: no Public Comment given.
3:00 p.m. Public Comment closed.

Motion made by Councilor Harrington, Jr., and supported by Treasurer Chingwa to post the Lewis and Doris Adams' Tribal Holiday Statute to the Legislative Calendar.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor Shananaquet)
Motion carried.

Motion made by Councilor Kiogima and supported by Secretary Gasco Bentley to post the Law Enforcement Authority Statute to the Legislative Calendar.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor Shananaquet)
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to post the Liquor and Tobacco Licensing Board Statute to the Legislative Calendar.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor Shananaquet)
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to post the Liquor and Tobacco License Violations Statute to the Legislative Calendar.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor Shananaquet)
Motion carried.

Motion made by Councilor Mulholland and supported by Treasurer Chingwa to post the Disclosure of Public Documents Statute on the Legislative Calendar.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor Shananaquet)
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Mulholland to post the Asset Disposition Statute on the Legislative Calendar.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Yellowbank, Councilor Shananaquet)
Motion carried.

Motion made by Councilor Kiogima and supported by Treasurer Chingwa to adopt Tribal Resolution Request for Trust Acquisition of Parcel in Harbor Springs, Emmet County, Michigan.

Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent,

Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Both, Preference in Employment Proposed Draft Statutes (Councilor Yellowbank & Councilor Kiogima version) were tabled.

Motion made by Councilor Mulholland and supported by Treasurer Chingwa to pass Waganakising Odawak Statute Investment Statute.

Roll Call Vote: Councilor Harrington, Jr. -yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Shananaquet-absent, Councilor Yellowbank-absent, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

3:48 p.m. Councilor McNamara left.

The Economic Development Commission Draft Statute was tabled.

The Odawa Economic Development Management Draft Statute and Corporate Charter were reviewed.

4:49 p.m. Motion made by Councilor Harrington, Jr., and supported by Treasurer Chingwa to adjourn.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 - Absent (Councilor Yellowbank, Councilor Shananaquet, Councilor McNamara)
Motion carried.

These Minutes have been read and approved as corrected:

Regina Gasco Bentley, Tribal Council Secretary

Date